

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post-office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **DISTRIBUTED INTERFACE ARCHITECTURE FOR PROGRAMMABLE INDUSTRIAL CONTROL SYSTEMS**, the specification of which is attached hereto and identified by Cesari and McKenna File No. 109087-0002P1.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: None.

I hereby claim the benefit under Title 35, United States Code §120, of the United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United State Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application: U.S. Serial No. 08/655,469 filed May 30, 1996.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Michael E. Attaya, Reg. No. 31,731; Charles J. Barbas, Reg. No. 32,959; Joseph H. Born, Reg. No. 28,286; Robert A. Cesari, Reg. No. 18,381; Steven J. Frank, Reg. No. 33,497; William A. Loginov, Reg. No. 34,863; John F. McKenna, Reg. No. 20,912; Martin J. O'Donnell, Reg. No. 24,204; Thomas C. O'Konski, Reg. No. 26,320; Patrick J. O'Shea, Reg. No. 35,305; Michael R. Reinemann, Reg. No. 38,280; Rita M. Rooney, Reg. No. 30,585; Patricia A. Sheehan, Reg. No. 32,301; and Mark A. Superko, Reg. No. 34,027, Cesari and McKenna, LLP, 30 Rowes Wharf, Boston, Mass. 02110, jointly, and each of them severally, my attorneys and attorney, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Steven J. Frank at (617) 951-2500. Please address all correspondence to Steven J. Frank.

109087-0002P1



Kenneth C. Crater

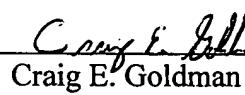
May 5, 1997

Date

Residence: 116 Brigham Hill Road  
North Grafton, MA 01536

Citizenship U.S.A.

Post Office Address: Same as above



Craig E. Goldman

5 May 1997

Date

Residence: 11 Woodcrest Road  
Westborough, MA 01581

Citizenship U.S.A.

Post Office Address: Same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of: )  
Kenneth C. Crater et al. )  
Serial No.: Not Yet Assigned )  
Filed: Herewith )  
For: DISTRIBUTED INTERFACE AR- )  
CHITECTURE FOR PROGRAM-  
MABLE INDUSTRIAL CONTROL  
SYSTEMS )  
Examiner: Not Yet Assigned  
Art Unit: Not Yet Assigned

**DECLARATION BY ASSIGNEE CLAIMING  
SMALL ENTITY STATUS UNDER 37 CFR §§1.9(f) and 1.27(b)**

As an authorized officer of the below named assignee, I hereby declare that the assignee qualifies as a small entity as defined in 37 CFR §1.9(c) for purposes of paying reduced fees under §41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention described in the specification identified above, and referred to as Cesari and McKenna file number 109087-0002P1.

The below named assignee has not assigned, granted, conveyed, or licensed and is under no obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR §1.9(c) if that person had made the invention, or to any concern that did not qualify as a small business concern under 37 CFR §1.9(d) or a nonprofit organization under 37 CFR §1.9(e).

Each person, concern, or organization to which the below named assignee has assigned, granted, conveyed, or licensed or is under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

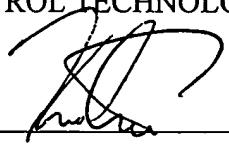
None

The below named assignee acknowledges the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small-entity

status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

CONTROL TECHNOLOGY CORPORATION

By: 

Title: President

Date: May 5, 1997

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06-11-1997



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File No. 109087-0002P1

VER SHEET

Y

To the Honorable Commissioner of Patents and Trademarks:

Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Kenneth C. Crater  
 Craig E. Goldman

## 2. Name and address of receiving party(ies):

Name: Control Technology Corporation  
 Street Address: 25 South Street  
 City, State, Zip: Hopkinton, MA 01748

Additional name(s) of conveying  
 party(ies) attached?  Yes  No

## 3. Nature of conveyance:

Assignment  
 Merger  
 Security Agreement  
 Change of Name  
 Other

Additional name(s) & address(es)  
 attached?  Yes  No

Execution Date: May 5, 1997

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution  
 date of the application is: May 5, 1997

## A. Patent Application No.(s)

## B. Patent No. (s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom  
 correspondence concerning document should be  
 mailed:

Name: Steven J. Frank  
 Cesari and McKenna, LLP  
 Street Address: 30 Rowes Wharf  
 City, State, Zip: Boston, MA 02110

6. Total number of applications and  
 patents involved? 1

7. Total fee (37 CFR 3.41) \$40.00  
 Enclosed

Authorized to be charged to deposit  
 account

8. Deposit account no. 03-1237 (Attach duplicate  
 copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Steven J. Frank  
 Name of Person Signing

Signature

May 6, 1997  
 Date

Total number of pages comprising cover sheet: 1

## ASSIGNMENT

Whereas We, Kenneth C. Crater, who resides at 116 Brigham Hill Road, North Grafton, MA 01536, and Craig E. Goldman, who resides at 11 Woodcrest Road, Westborough, MA 01581, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled **DISTRIBUTED INTERFACE ARCHITECTURE FOR PROGRAMMABLE INDUSTRIAL CONTROL SYSTEMS**, identified by Cesari and McKenna File No. 109087-0002P1, which application was executed by us on the fifth day of May, 1997; and

Whereas Control Technology Corporation, whose address is 25 South Street, Hopkinton, MA 01748, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

Now, Therefore, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer and convey to Assignee our entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;

2. Authorize Assignee to file patent application in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same Assignee without encumbrance;

5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made;

and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have executed this Assignment as an instrument under seal on the dates indicated next to our names.

May 5, 1997

Date

Kenneth C. Crater, Inventor

Commonwealth of Massachusetts )  
County of Middlesex )ss.  
)

On this 5th day of May, 1997, before me appeared Kenneth C. Crater, to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she acknowledged the same to be his/her free act and deed.

[seal]

**Notary Public**

**LISA ST. GEORGE  
NOTARY PUBLIC  
My Commission Expires March 6, 2003**

5 May, 1917  
Date

Craig E. Goldman  
Craig E. Goldman, Inventor

Commonwealth of Massachusetts )  
County of Middlesex )ss.  
 )

On this 5th day of May, 1997, before me appeared Craig E. Goldman, to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she acknowledged the same to be his/her free act and deed.

Paul W. Yost  
Notary Public

[seal]

LISA ST. GEORGE  
NOTARY PUBLIC  
My Commission Expires March 6, 2003